
SUBSTITUTE HOUSE BILL 2439

State of Washington

59th Legislature

2006 Regular Session

By House Committee on Finance (originally sponsored by Representatives Hudgins, Kilmer, McCoy, Morrell, Appleton, Moeller, Rodne, Linville, Conway, P. Sullivan, Morris, B. Sullivan, Green, Ericks, Upthegrove and Ormsby)

READ FIRST TIME 01/27/06.

1 AN ACT Relating to the support of military families stationed in
2 Washington state through an exemption from the state and local real
3 estate excise taxes for home sales resulting from military relocation
4 orders within three years of home purchase; adding a new section to
5 chapter 82.45 RCW; providing an effective date; and providing a
6 contingent expiration date.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** A new section is added to chapter 82.45 RCW
9 to read as follows:

10 (1) The sale of real property is exempt from tax under this chapter
11 if the person claiming the exemption: (a) Occupied the property as a
12 principal place of residence on the date military relocation orders
13 were issued that require the seller, or seller's spouse, to relocate
14 for continued active duty service; (b) purchased the residence within
15 the three years preceding the date of issuance of the military
16 relocation orders; (c) sold the property within the twelve months
17 following the issuance of the military relocation orders; (d) sold the
18 property with a selling price that was no more than eight percent
19 greater than the purchase price paid by the person claiming the

1 exemption; and (e) was an active duty member of the military on the
2 date the property was sold, or the person's spouse was an active duty
3 member on such date.

4 (2)(a) When a real estate tax affidavit is submitted to the county
5 treasurer and the affidavit specifies the exemption under this section,
6 the treasurer may request to verify, or maintain copies of, documents
7 required in accordance with (b) of this subsection.

8 (b) The person taking the exemption under this section must keep
9 records necessary for the department to verify eligibility under this
10 section including, but not limited to: (i) The permanent change of
11 station orders, or other documentation substantiating military
12 relocation orders; (ii) the instrument of sale or conveyance and real
13 estate excise tax affidavit substantiating the seller's purchase and
14 price of the residence within the three years preceding the date of
15 issuance of the military relocation orders; (iii) documentation
16 indicating active duty status in the military on the date the property
17 was sold; (iv) the seller's Washington state driver's license and
18 certificate of vehicle license registration, if the seller owns and
19 operates a vehicle; and (v) the seller's voter registration card, or
20 other documentation indicating that the seller is registered to vote in
21 the state of Washington, if the seller is registered to vote.

22 NEW SECTION. **Sec. 2.** This act takes effect July 1, 2006.

23 NEW SECTION. **Sec. 3.** (1) This act expires on the first day of the
24 month that is at least twenty days after the occurrence of either of
25 the following:

26 (a) Ten years from the effective date of this act has elapsed; or
27 (b) The number of active duty members in all branches of the armed
28 forces in Iraq is less than twenty thousand.

29 (2) The department of revenue shall make the determination that
30 this act has expired under subsection (1) of this section. After the
31 department has made this determination, the department shall notify the
32 county treasurers that the exemption is no longer available. To
33 facilitate the determination under subsection (1)(b) of this section,
34 the department may rely on its determination of the best available

1 listing of United States forces deployed in Iraq. The department shall
2 not modify or revoke a determination under this section.

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